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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,140	08/27/2004	Ching-Hung Kao	NAUP0622USA	5139
27765	7590	10/10/2006		EXAMINER
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			NGUYEN, TRAM HOANG	
			ART UNIT	PAPER NUMBER
			2818	

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/711,140	KAO, CHING-HUNG	
	Examiner Tram H. Nguyen	Art Unit 2818	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 19 July 2006.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3 and 10-14 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-3 and 10-14 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 27 August 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

1. In response to the communications dated 07/19/2006, Claim 4 has been cancelled and claims 15-17 have been withdrawn. Therefore, Claims 1-3 and 5-14 are pending in this application.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5-6, 8 and 10-14 are rejected under 35 U. S. C. § 102 (b) as being anticipated by Ker et al. (U.S. 6,576,958; hereinafter Ker).

Regarding the **currently amended claim 1**, Ker discloses: a junction varactor (fig. 7) comprising: a gate finger (reference numeral 50) lying across an ion well (reference numeral 42) of a semiconductor substrate (reference numeral 40); a gate dielectric (reference numeral 13) situated between said gate finger (50) and said ion well (42); a first ion diffusion region (reference numeral 44a) with first conductivity type (refer as P+ type) located in said ion well (42) at one side of said gate finger (see fig. 7), a first lightly doped drain (LDD) having said first conductivity type (refer as P\_LDD) in said ion well (42), and wherein said first LDD (P\_LDD) merges with said first ion

diffusion region serving as an anode of said junction varactor (refer to Anode in Fig. 7) and extends laterally to said gate finger (see fig. 7); and a second ion diffusion region (reference numeral 44b/46) with a second conductivity type (refer as N+ type) located in said ion well (N-Well) at the other side of said gate finger (see fig. 7), said second ion diffusion region serving as a cathode of said junction varactor (refer to Cathode in Fig. 7).

Regarding **claim 2**, Ker discloses all the limitations of the claimed invention; plus, Fig. 7 shows the ion well has said second conductivity type (N-Well).

Regarding **claim 3**, Ker discloses all the limitations of the claimed invention for the reason above; furthermore, Fig. 7 exhibits the said ion well (N-Well) is electrically isolated by shallow trench isolation (reference numeral 48).

Regarding **claim 5**, Ker discloses all the limitations of the claimed invention for reason above; Besides, Fig. 7 shows a second lightly doped drain (LDD) having said second conductivity type (P\_LDD) in said ion well, and wherein said second LDD (P\_LDD) merges with said second ion diffusion region (44b/46) and extends laterally to said gate.

Regarding **claim 6**, Ker discloses all the limitations of the claimed invention for reason above; moreover, Fig. 7 clearly shows said junction varactor comprising a spacer located on sidewalls of said gates.

Regarding **claim 8**, Ker discloses all the limitations of the claimed invention for the reason above. Besides, Fig. 13a shows in operation, said gate of said junction varactor ( $G_p$ ) is biased to a gate voltage  $V_G$  that is not equal to 0 volt (col.6, lines 54-55).

Regarding **claim 10**, Ker discloses all the limitations of the claimed invention for the reason above; and Ker furthermore teaches the said gate is a poly-silicon gate (fig. 7; item 50).

Regarding **claim 11**, Ker discloses all the limitations of the claimed invention for the reason above; in addition, Fig. 7 also shows said conductivity type is N type and said second conductivity type is P type.

Regarding **the current claim 12**, Ker discloses a junction varactor (fig. 7) comprising: An N well formed in a semiconductor substrate (reference numeral 100); a first gate finger (reference numeral 50 Left) lying across said N-Well (N-well); a first gate dielectric (reference numeral 13 Left) interposed between said first gate finger and said N-well (see Fig. 7); second gate finger (refer numeral 50 Right) lying across said N well at one said of said first gate finger (50 Left); second gate dielectric (reference numeral 13 Right) interposed between said second gate finger (50 Right) and said N-well (see Fig. 7); a  $P^+$  ion diffusion region (refer to  $P^+$ ) located in said N well between said first and second gate fingers (see Fig. 7); a P type lightly doped drain (refer to P\_LDD) merging with said  $P^+$  ion diffusion region ( $P^+$ ) and extending to said first gate finger and said second gate finger (see Fig. 7); a first  $N^+$  ion diffusion region (refer to  $N^+$ ) located in said N well at one said of said first gate that is opposite to said  $P^+$  ion diffusion region

(see Fig. 7); and a second N<sup>+</sup> ion diffusion region (refer to N<sup>+</sup>) located in said N well at one said of said second gate that is opposite to said P<sup>+</sup> ion diffusion region, wherein said first N<sup>+</sup> ion diffusion region and said second N<sup>+</sup> ion diffusion region are electrically couple together and serve as a cathode of said junction varactor (see Fig. 7).

Regarding **claim 13**, Ker discloses all the limitations of the claimed invention for the reason above. Besides, Fig. 13a shows in operation, said gate of said junction varactor (G<sub>p</sub>) is biased to a gate voltage V<sub>G</sub> that is not equal to 0 volt (col.6, lines 54-55).

Regarding **claim 14**, Ker discloses all the limitations of the claimed invention for the reason above. Moreover, Fig. 13a shows the gate voltage V<sub>G</sub> (refer to G<sub>n</sub>) is V<sub>ss</sub> (col.6, line 55).

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each

claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ker.

Regarding **claim 7**, Ker discloses all the limitations of the claimed invention for reason above except for said junction varactor comprising a salicide formed on said gate and on said first and second ion diffusion regions. However, it would have been obvious to one having ordinary skills in the art at the time the invention was made to include a salicide formed on said gate and said first and second ion diffusion regions in the semiconductor device structure taught by Ker in order to reduce resistance.

Regarding **claim 9**, Ker discloses all the limitations of the claimed invention for the reason above except for said gate finger is a metal gate. However, Ker discloses the gate finger is a poly gate. Since metal and polysilicon are the preferable materials for the gate electrode; thus, it would have been an obvious one having ordinary skills in the art at the time the invention was made to interchange the used material as taught by Ker to the other like materials since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use. *In re Leshin*, 125 USPQ 416.

***Conclusion***

7. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) day from the day of this letter. Failure to respond within the period for response will cause the application to become abandoned (see M.P.E.P 710.02(b)).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tram H. Nguyen whose telephone number is (571) 272-5526. The examiner can normally be reached on Monday-Friday 9:00am - 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MinSun Harvey can be reached on (571) 272-1835. The fax numbers for all Customer Service is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-1625.

THN  
Art Unit 2818  
09/22/2006

*Andrea Nguyen*  
Primary Examiner